

Kendall J
Moser/AG/StateHiUS
01/12/2007 11:15 AM

To Susan Dorsey <susankd@prodigy.net>
cc Claims Administrator <claims@hawaii.rr.com>, MDavis@davislevin.com, Stan Levin <slevin@davislevin.com>
bcc Caron M Inagaki/AG/StateHiUS@StateHiUS; Mark M Nomura/AG/StateHiUS@StateHiUS; John F Molay/AG/StateHiUS@StateHiUS
Subject Re: Tapaoan []

Susan:

I apologize for the tardiness of this reply. I have been in a trial this week.

On December 20th I left a voice mail message on your cell phone ([REDACTED]) in response to your inquiry a day earlier about 'enhanced' compensation for the named plaintiffs. I don't know why you didn't get that message. In short, the message was "no way".

You will recall that it took the parties 13 months (from September 2003 to October 2004) to hammer out the written Settlement Agreement, revision after revision after revision. At no time during that arduous process was there any mention whatsoever of additional compensation for the named plaintiffs. Enhanced compensation for those men is not a term of the Settlement Agreement. December 19, 2006 was not the right time to first raise this issue.

There will be no stipulation to further revise the parties' agreement.

Kendall

Susan Dorsey <susankd@prodigy.net>



Susan Dorsey
<susankd@prodigy.net>
01/10/2007 03:09 PM

To Kendall.J.Moser@hawaii.gov, Claims Administrator <claims@hawaii.rr.com>, MDavis@davislevin.com, Stan Levin <slevin@davislevin.com>
cc
Subject Tapaoan

Dear Kendall,

I have tried to reach you by phone several times in order to discuss the proposed stipulation to distribute a modest amount to the named Plaintiffs. Does the State understand that this would come from the existing class fund and would not involve any additional money? Please clarify the State's position on the stipulation.

Thank you,

Susan Dorsey

EXHIBIT "A"